

Cynthia Conger

4425 Pt. Loma Ave.
San Diego CA 92107
(619) 665-3210

September 12, 2008

Via Facsimile (858) 571-6972

California Regional Water Quality Control Board
San Diego Region
9174 Shy Park Court, Suite 100
San Diego, California 92123-4353
Attention: John Robertus
CRWQCB Executive Officer

Re: CAU: 14-0329 Place ID: 255226

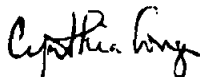
Dear Mr. Robertus:

Having Chaired a District 2 Coastal Community Planning Board Chair for 5 years, I am writing this letter **in opposition** to the California Regional Water Quality Control Board San Diego Region's (CRWQCB) Conditional Early Settlement with Offer No. R9-2008-0076 with the City of San Diego, based on the CRWQCB letter dated July 16, 2008 and the (proposed) Order signed from the City of San Diego on August 13, 2008. **A 'miniscule fine' is Not enough! Clearly, the City of San Diego is not contesting the numerous serious violations of illegally pumping hazardous chemicals into the San Diego Bay.** However, the CRWQCB's **imposition of minimal fines on serious violations is not a practical solution to hold polluters accountable**, nor will it rectify the hazardous contamination problem in the San Diego Bay. Blatantly 'missing' from the 'deal' are Directions or Stated Requirements for any 'rectification' of the processes at the Convention Center site! Where are the required 'mitigations' of such stormwater/effluent from the parking lot as are required for any other buildings/lots in San Diego? This system obviously needs to have a 'redesign' of its water systems as such toxics are not only dangerous for marine life, but human life as well.

Already marine and potentially human lives have been affected by NTC's leaking of hazardous wastes from 57 dumps there, many which were simply 'buried under by 6 feet of fill,' following Federal agreements. These will eventually work their way to and through the groundwater system to add to the San Diego Bay's ills. **Is this the kind of 'planning' that this City wants to be 'known' for? None? 'America's Finest CessPool?'** As the bay water migrating into the San Diego Convention Center parking lot has exceeded legal limits for cyanide and other hazardous chemicals and the City of San Diego has recognized the crisis for several years, **yet still illegally contributes** to the problem by pumping the highly hazardous groundwater back into the San Diego Bay, **this IS an opportunity to avoid not only further contamination, but to force the City/Redevelopment Agency to be responsible to both the city's taxpayers and future generations of our community.** Removing (illegally) cyanide and other hazardous chemical's migrations from the Convention Center parking lot- **to be naturally filtered by ground landscape, etc.** would be far more effective than 'dumping it' into our already overburdened sewer/stormsewer systems, destroying/poisoning another economic pyramid that our survival depends upon. Especially with the serious water shortage that this Region is facing, systems such as the water hyacinth project (demonstrated in the early '80's by the water/sewer dept.) could possibly now be an 'affordable' and sustainable solution with such toxic wastes.

Beyond doubt, imposing minimal fines for serious violators is not sustainable, and allows more derogation of our bay, marine life and coastal amenities. *Incredible is the unfounded and unrighteously 'lenient partiality' that this monitoring group proposes to give the City, when for minor private projects, such requirements are demanded to be rectified.* We are now living in a soup of hazardous chemicals, **finding their way back onto our dinner tables.** In view of that, **remediation cleanup is the only solution to solve the San Diego Bay's present unsustainable ecosystem.** Therefore, **please hold the City of San Diego accountable by imposing the maximum liability fines in order to recover the economical and ecological losses of the San Diego Bay or Force this City to make changes to these cesspools of toxics,** pursuant to CWC Section 13385(a, c, e) or our City's current Municipal Code's 'mitigation' requirements. Without such 'Requirements, the Law of Unintended Consequences' will soon be upon San Diego. "What goes around, comes around" is actually, prophetic.

Cynthia Conger



CC: Michael McCann Assistant Executive Officer CRWQCB

0000000000